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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 U.S. BANK, N.A., AS TRUSTEE FOR THE  
CMLT1 ASSET BACKED PASS-THROUGH  
CERTIFICATES, SERIES 2007-AMC3,

Case No.: 2:15-cv-01666-GMN-VCF

11 Plaintiff,

**STIPULATION AND ORDER**

12 vs.

13 508 BRUNY ISLAND TRUST; WASHBURN  
CREEK ASSOCIATION, a Nevada non-profit  
14 corporation,

15 Defendants.

16 Defendant Washburn Creek Association ("Washburn Creek"), and Plaintiff U.S. Bank,  
17 N.A., As Trustee for the CMLT1 Asset Backed Pass-Through Certificates Series 2007-AMC3  
18 ("U.S. Bank"), by and through their respective attorneys of record, stipulate and agree as follows:

20 WHEREAS, US Bank served Defendant Washburn Creek with Requests for Admission on  
21 October 25, 2017;

22 WHEREAS, US Bank later took the position in its Motion for Summary Judgment that the  
23 Requests for Admission had not been timely answered by Washburn Creek;

24 WHEREAS, Washburn Creek disputes this and has produced responses it contends were  
25 timely and properly served;

26 WHEREAS, the parties agree that this is an issue of either oversight or problems with the  
27 mail/service;

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1           THEREFORE, it is stipulated by and between US Bank and Washburn Creek only that the  
2 Requests for Admission Washburn Creek believes it mailed on November 27, 2017 shall be  
3 deemed timely and that US Bank withdraws its assertion at page 5 of its Motion for Summary  
4 Judgment [ECF No. 53] that Washburn Creek failed to timely respond to Requests for  
5 Admissions. Similar assertions against 508 Bruny Island Trust remain unaffected by this  
6 stipulation.

7       WRIGHT FINLAY & ZAK LLP

BOYACK ORME & ANTHONY

8       Dated this 28<sup>th</sup> day of February, 2018.

Dated this 28<sup>th</sup> day of February, 2018.


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10       /s/ Edgar C. Smith, Esq.  
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16                               **ORDER**

17           **IT IS SO ORDERED.**

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20                               \_\_\_\_\_  
21                               UNITED STATES MAGISTRATE JUDGE  
22                               2:15-cv-01666-GMN-VCF

23                               DATE: 2-28-2018  
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